



City of Seattle

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3012474

Applicant Name: David Neiman, Neiman Architects, for Seattle Public Schools

Address of Proposal: 2950 South Mount Baker Boulevard

SUMMARY OF PROPOSED ACTION

Replace Franklin High School's existing reader board with a new electronic message board.

The following approvals are required:

Development Standard Departure – To approve or condition the following departures (SMC 23.79):

1. To allow a changing-image sign in a single-family zone – SMC 23.55.020B
2. To exceed 30 square feet of area per sign face – SMC 23.55.020D.7
3. To allow a ground mounted, identifying sign to exceed six feet above grade – SMC 23.55.020D.7

BACKGROUND INFORMATION

Site Location: Franklin High School is located south of S. Mount Baker Blvd and west of 30th Avenue South. The gymnasium and athletic field are located west of 30th Avenue south, north of S. Mt. Baker Blvd and east of Martin Luther King Jr. Way S and Rainier Avenue South.

Zoning: The high school campus is zoned Single Family 5000.

Existing Use: The existing use is a Public School Site.

Public Notice: Notice of the first meeting of the Development Standards Departure Advisory Committee for Franklin High School was published on September 15, 2011 in the Land Use Information Bulletin.

Development Standard Departure Committee Meeting:

One public meeting of the Development Standard Departure Advisory Committee ("Advisory Committee") was held on September 28, 2011 to consider development standard departures for the sign. The Department of Neighborhoods prepared and submitted a report to document public testimony and make recommendations to DPD for modifications to land use code development standards. The report contains the Committee recommendations and conclusions.

ANALYSIS – Development Standard Departure

The Development Standard Departure process is being conducted pursuant to the provisions of Seattle Municipal Code sections 23.79.002-.012. Pursuant to these provisions an Advisory Committee was convened, public comment was received, and a written recommendation to the Director of DPD was made. This analysis and decision is made pursuant to the requirements of SMC section 23.79.010 that the Director determine the amount of departure to be allowed as well as mitigation measures to be imposed. The Director's decision shall be based on an evaluation of the factors set forth in Section 23.79.008, the majority recommendations and minority reports of the Advisory Committee, comments at the public meeting(s) and other comments from the public. If the Director of DPD modifies the recommendations of the Advisory Committee, the reasons for the modification shall be put forth in writing.

In reviewing the departure request, Section 23.79.008 directs the Advisory Committee to "*gather and evaluate public comment*", and to "*recommend maximum departures which may be allowed for each development standard from which a departure has been requested*". It states, "*Departures shall be evaluated for consistency with the objectives and intent of the City's Land Use Code....., to ensure that the proposed facility is compatible with the character and use of its surroundings*". The Advisory Committee is directed to consider and balance the interrelationships among the following factors:

A. *Relationship to Surrounding Areas:* *The advisory committee shall evaluate the acceptable or necessary level of departure according to:*

- 1. Appropriateness in relation to the character and scale of the surrounding area;*
- 2. Presence of edges (significant setbacks, major arterials, topographic breaks, and similar features) which provide a transition in scale;*
- 3. Location and design of structures to reduce the appearance of bulk;*
- 4. Impacts on traffic, noise, circulation and parking in the area; and*
- 5. Impacts on housing and open space.*

More flexibility in the development standards may be allowed if the impacts on the surrounding community are anticipated to be negligible or are reduced by mitigation; whereas, a minimal amount or no departure from development standards may be allowed if the anticipated impacts are significant and cannot be satisfactorily mitigated.

B. *Need for Departure:* *The physical requirements of the specific proposal and the project's relationship to educational needs shall be balanced with the level of impacts on the surrounding area. Greater departures may be allowed for special facilities, such as a gymnasium, which are unique and/or integral and necessary part of the educational process; whereas, a lesser or no departure may be granted for a facility which can be accommodated within the established development standards.*

Departure Request and Advisory Committee Recommendation

In July 2011, the Seattle Public Schools requested the Director to initiate the departure process for a changing image sign at Franklin High School. Three departures from the land use code are requested.

- 1) To allow a changing image sign in a single family zone;
- 2) To exceed 30 square feet of area per sign face; and
- 3) To allow a ground mounted, identifying sign to exceed six feet above grade for a secondary school in a single family zone.

The Advisory Committee met on September 28, 2011. At the meeting, the Advisory Committee determined that the requested departures were MINOR in nature. During this same meeting the Advisory Committee listened to public comment and recommended APPROVAL of the departures. The Advisory Committee prepared the Franklin High School Design Departure Recommendations Report, dated October 2011. The recommendation report was forwarded by the Department of Neighborhoods to the Director of DPD for consideration.

Director's Analysis

A. *Relationship to Surrounding Areas:*

1. *Appropriateness in relation to the character and scale of the surrounding area;*

Both the present and proposed sign is located at the intersection of Rainier Avenue and MLK Way South. These are auto-oriented arterial streets with high auto traffic. Properties on either side of these streets are zoned commercial. The area is also dominated by the new link Light Rail Station. The result is an area that is presently commercial and is likely to remain so, or possibly see increased commercial development as a result of its proximity to the Link Light Rail station.

Restrictions on signs at schools were established under the assumption that the sign would be located within a primarily residential area. In this case, the sign is located near commercial properties. The area has many other similar signs and the Committee concluded and the Director concurs that the scale of sign is clearly not out of scale to the scale or character of the surrounding areas.

This does not mean that the Committee had no issues concerning the character of the sign. Committee members and others testifying to the Committee expressed concerns over both the graphic character of the sign, its' possible use for advertising, and the possible impact of approval of the sign for proliferation of graphic image and changing image signs generally in the area.

Several committee members and those giving public testimony stated that they were concerned that the sign might be used in the future for general advertising. Committee members were comfortable with the present District policy concerning prohibition of advertising of District signs. That restriction was read into the record as follows:

Board Procedure E 02.01 Section B3 – Advertising not permitted on scoreboards, reader boards, buildings or in Memorial Stadium or District Athletic Fields – Advertising will not be permitted on scoreboards, reader boards, buildings façades walls or floors or in Memorial Stadium or District Athletic Fields. Also the District will use its best efforts to assure that no advertising is permitted on School busses operated by the District.

However, members expressed concern that this policy might be changed in the future, and therefore concluded that this restriction should be a condition of the granting of the departures. The Director has determined that the specific condition will be modified to only include reader boards since the other restrictions within this policy are not relevant to this application.

There were also concerns over use of the sign to inform the community of off-premises events. Members were supportive of use of the sign to notify the community of school events, community events held at the school, and school events held off-premises, but were concerned that the sign not be used to inform the community or advertise non-school related community events. The concern was that this would morph into general advertising.

Therefore the Committee concluded and the Director concurs that conditions are appropriate to mitigate potential impacts from future graphic capabilities and commercial advertising. The following Committee recommendations shall be placed as permanent conditions of the granting of the departures.

Recommendation One: that the sign include no video capability, no flashing – i.e. a sign that changes light intensity in a sudden transitory burst, and no animation.

Recommendation Two (modified by the Director): Commercial advertising will not be permitted on the reader board.

Recommendation Three: that there is no off school, non-school related events advertised on the sign.

2. *Presence of edges (significant setbacks, major arterials, topographic breaks, and similar features) which provide a transition in scale;*

The impact of the proposed sign is minimal and is much smaller in scale than residences, institutional buildings and utility poles in the area. The existing athletic field, structures and setbacks provide a transition in scale from residential structures in the area. No mitigation is required.

3. *Location and design of structures to reduce the appearance of bulk;*

The proposed sign is smaller in size and scale of surrounding structures and utility poles. The sign will be located along principal arterial streets adjacent to a

neighborhood commercial zone. The existing athletic field provides a setback from the single family residences located northeast and east of the sign location. No mitigation is required.

4. *Impacts on traffic, noise, circulation and parking in the area; and*

Installation of the changing-image sign will not impact noise, circulation or parking in the area. The proposed sign will be located in the current location of the existing sign. The sign will be located on a principal arterial street and faces a neighborhood commercial zone. The proposed sign is similar to signs permitted in a commercial zone and will not result in any greater impact than current or potential signs along this street front. No mitigation is required.

5. *Impacts on housing and open space.*

The proposed sign departures are not expected to have any impacts on existing open space and housing. The proposed sign will be located away from residences in the area and located adjacent to Rainier Avenue South a principal arterial. Properties located northwest, west and southwest of the proposed sign are located within a neighborhood commercial zone. No mitigation is required.

B. *Need for Departure:* *The physical requirements of the specific proposal and the project's relationship to educational needs shall be balanced with the level of impacts on the surrounding area. Greater departures may be allowed for special facilities, such as a gymnasium, which are unique and/or integral and necessary part of the educational process; whereas, a lesser or no departure may be granted for a facility which can be accommodated within the established development standards.*

Seattle Public Schools identifies the need to efficiently communicate Franklin High school events to students, parents and the community at-large. A traditional manual readerboard sign is currently located at the same location of the proposed sign and does not meet the needs of the school. A programmable, multi- message reader board provides greater efficiencies and allows for broader communication of upcoming events to students, parents and the surrounding community. Potential impacts from the changing-image sign located more than six feet above grade have been adequately mitigated and by granting the departures the educational needs as specified by Seattle Public Schools can be reasonably met.

DECISION-DEVELOPMENT STANDARD DEPARTURE

The Director has determined the Departure requests as mitigated meet SMC 23.79.008C and are consistent with the intent of SMC 23.55.001.

The development standard departure to allow a changing-image sign in a single-family zone is **CONDITIONALLY GRANTED**.

The development standard departure to exceed 30 square feet of area per sign face in a single-family zone is **CONDITIONALLY GRANTED**.

The development standard departures to allow a ground related, identifying sign to exceed six-feet above grade at a secondary school in a single family zone is **CONDITIONALLY GRANTED**.

CONDITIONS-DEVELOPMENT STANDARD DEPARTURE

For the Life of the Project

1. The sign will have no video capability, no flashing – i.e. a sign that changes light intensity in a sudden transitory burst, and no animation.
2. Commercial advertising will not be permitted on the sign.
3. No off school, non-school related events shall be advertised on the sign.

Signature: _____ (signature on file) Date: October 27, 2011
Stephanie Haines, Senior Land Use Planner
Department of Planning and Development

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